

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), the article had been mixed and packed with saccharin so as to reduce its quality or strength and make it appear better or of greater value than it was.

DISPOSITION: February 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10702. Misbranding of beverage preparations. U. S. v. 51 Cases * * *. (F. D. C. No. 18413. Sample Nos. 7754-H to 7756-H, incl.)

LIBEL FILED: On or about November 23, 1945, District of Connecticut.

ALLEGED SHIPMENT: On or about August 30, 1943, by the Mark Vandewart Co., Inc., from New York, N. Y.

PRODUCT: 17 cases of orange mixer, 24 cases of lemon mixer, and 10 cases of lemon and lime mixer at New Haven, Conn. Examination showed that the products were artificially colored mixtures of water, phosphoric acid, and citrus oils, and they contained little or no sugar or citrus juice. Examination showed also that the products were short-volume.

LABEL, IN PART: "Orange [or "Lemon," or "Lemon & Lime"] Mixer * * * Sufficient for 8 pints of Perfect Orange [or "Lemon," or "Lemon & Lime"] Drink * * * Use as Fresh Orange [or "Lemon," or "Lemon & Lime"] Juice." The "Orange" flavor label bore the design of 2 oranges and leaves, and the "Lemon" and "Lemon & Lime" flavor labels bore the design of a lemon, a lime, and leaves.

NATURE OF CHARGE: Misbranding, Section 403 (a), the statements and designs in the labeling were false and misleading as applied to products containing little or no sugar or citrus juices; Section 403 (e) (2), the products failed to bear labels containing an accurate statement of the quantity of the contents; and, Section 403 (i) (2), they were fabricated from 2 or more ingredients, and their labels failed to bear the common or usual name of each ingredient, since phosphoric acid was present but was not declared on the labels.

DISPOSITION: February 6, 1946. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered destroyed.

10703. Adulteration of imitation grape sirup. U. S. v. 3 Barrels * * *. (F. D. C. No. 18190. Sample No. 858-H.)

LIBEL FILED: October 22, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 14, 1945, by the X-L Sales Co., from Memphis, Tenn.

PRODUCT: 3 55-gallon barrels of imitation grape sirup at Atlanta, Ga. Examination showed that the product was undergoing fermentation.

LABEL, IN PART: "X-L Quality Beverages F-X Brand Imitation Grape Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: December 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10704. Misbranding of lime juice. U. S. v. 1,811 Cases * * *. (F. D. C. No. 18998. Sample No. 8160-H.)

LIBEL FILED: January 22, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about November 7, 1945, by the Seminole Fruit & Preserving Co., Inc., from Little River, Fla.

PRODUCT: 1,811 cases, each containing 24 bottles, of lime juice at New York, N. Y. A recipe sheet was wrapped around each bottle.

LABEL, IN PART: (Bottle label) "Cobbs Lime Juice Natural Full Strength Unsweetened Use the same as fresh fruit juice, as this is Undiluted Lime Juice No artificial Coloring or Flavor is used. Contains 1/10 of 1% Sodium Benzoate as a preservative * * * Net Contents 6 Fl. Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement on the bottle label "It has more important Citric Acid than any other Fruit Juice" was misleading since the statement suggested that the citric acid content of the article was of some nutritional or therapeutic significance, whereas the citric acid content of the article was not of nutritional or therapeutic significance.